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## PATENT

Attorney Docket No.: A-70126-1/RMS/BTC

## THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HAWKINS, G.

Serial No. 09/605,766

Filed: June 28, 2000

For: METHOD AND APPARATUS FOR  
PERFORMING BIOLOGICAL  
REACTIONS ON A SUBSTRATE  
SURFACE

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CERTIFICATE OF MAILING

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I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated:

Signed:

*9.27.01  
Christine P. Peters*

Christine P. Peters

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner  
for Patents  
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. Copies of the documents are enclosed herewith.

Further, in accordance with the provisions of 37 C.F.R. §§ 1.97(c) and 1.97(e)(1), the undersigned certifies that the references listed on the enclosed form PTO-1449 were cited in the International Search Report dated July 24, 2001, for a counterpart PCT application. As such, the filing of the instant Information Disclosure Statement is within three months of the date of that International Search Report and, therefore, need not be accompanied by the fee as set forth in 37 C.F.R. § 1.17(p). A copy of the International Search Report for the counterpart PCT application is enclosed herewith.

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With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicants draw the Examiner's attention to the following patent applications;

1. United States Serial Number 09/464,490, filed December 15, 1999 and U.S.S.N. 09/492,013, filed January 26, 2000.
2. U.S.S.N. 08/743,798, filed November 5, 1996; U.S.S.N. 08/873,978, filed June 12, 1997; U.S.S.N. 08/899,510, July 24, 1997; U.S.S.N. 08/911,085, filed August 14, 1997, now Patent Number 6,090,933; U.S.S.N. 09/557,577, filed April 21, 2000; and U.S.S.N. 09/577,429, filed May 22, 2000.
3. U.S.S.N. 08/873,597, filed June 12, 1997; U.S.S.N. 08/911,589, filed August 14, 1997; and U.S.S.N. 09/660,374, filed September 12, 2000.
4. U.S.S.N. 09/096,593, filed June 12, 1998.
5. U.S.S.N. 08/873,977, filed June 12, 1997, now Patent Number 6,013,459; 09/096,504, filed June 12, 1998, now Patent Number 6,013,170;10; U.S.S.N. 09/417,988, filed October 13, 1999.
6. U.S.S.N. 09/397,957, filed September 17, 1999.
7. U.S.S.N. 09/014,304, filed January 27, 1998, now Patent Number 6,063,573.
8. U.S.S.N. 09/135,183, filed August 17, 1998.
9. U.S.S.N. 09/306,653, filed May 6, 1999 and U.S.S.N. 09/452,277, filed February 3, 1999.

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10. U.S.S.N. 09/134,058, filed August 14, 1998; U.S.S.N. 09/338,726, filed June 23, 1999; U.S.S.N. 09/440,371, filed November 12, 1999; U.S.S.N. 09/520,477, filed March 8, 2000; and U.S.S.N. 09/712,792, filed November 13, 2000.

11. U.S.S.N. 09/428,155, filed October 27, 1999.

12. U.S.S.N. 09/295,691, filed April 21, 1999.

13. U.S.S.N. 09/489,459, filed January 21, 2000.

14. U.S.S.N. 09/472,657, filed December 27, 1999.

15. U.S.S.N. 09/238,351, filed January 27, 1999 and 09/621,275 filed July 20, 2000.

16. U.S.S.N. 09/245,105, filed January 27, 1999.

17. U.S.S.N. 09/626,096, filed July 26, 2000.

18. U.S.S.N. 09/760,384, filed January 11, 2001.

19. U.S.S.N. 08/166,036, filed December 10, 1993, now Patent Number 5,591,578; U.S.S.N. 08/475,051, filed June 7, 1995, now Patent Number 5,824,473; U.S.S.N.

08/660,534, filed June 7, 1995, now Patent Number 5,770,369; U.S.S.N. 08/659,987, filed

June 7, 1996, now abandoned; U.S.S.N. 08/709,265, filed September 6, 1996, now Patent

Number 5,705,348; U.S.S.N. 08/709,263, filed September 6, 1996, now Patent Number

5,780,235; U.S.S.N. 08/873,598, filed June 12, 1997, now Patent Number 5,952,172;

U.S.S.N. 08/946,679, filed October 8, 1997, now Patent Number 6,087,100; U.S.S.N.

09/100,507, filed June 19, 1998, now Patent Number 6,071,699; U.S.S.N. 09/306,749, filed

May 7, 1999; U.S.S.N. 09/306,737, filed May 7, 1999; U.S.S.N. 09/306,768, filed May 7,

1999; U.S.S.N. 09/454,498, filed December 6, 1999; U.S.S.N. 09/459,751, filed December 10,

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1999; U.S.S.N. 09/459,191, filed December 10, 1999, now Patent Number 6,180,352; U.S.S.N. 09/454,497, filed December 6, 1999; U.S.S.N. 09/458,187, filed December 8, 1999; U.S.S.N. 09/545,227, filed April 7, 2000; and U.S.S.N. 09/602,618, filed June 22, 2000.

20. U.S.S.N. 08/808,750, filed February 28, 1997, issue fee paid; and U.S.S.N. 09/639,311, filed August 15, 2000.

21. U.S.S.N. 08/312,388, filed September 26, 1994, now Patent Number 5,620,850; U.S.S.N. 08/786,187, filed January 21, 1997; U.S.S.N. 09/296,111, filed April 21, 1999; and 09/296,078, filed April 21, 1999.

22. U.S.S.N. 08/786,153, filed January 21, 1997, now abandoned; U.S.S.N. 08/804,883, filed February 24, 1997, now abandoned; and U.S.S.N. 08/843,623, filed April 10, 1997.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

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Although no fee is believed due, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-70126-1/RMS/BTC).

Respectfully submitted,

FLEHR, HOHBACH, TEST,  
ALBRITTON & HERBERT

Dated:

Sept. 27, 2001



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